

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LAMONT LEE and TYMEL KORNEGAY,

Plaintiffs,

-against-

NOTICE OF MOTION

Civil Action No.: 1:19-cv-473
(DNH/DJS)

THE CITY OF TROY, PATROLMAN CHRISTOPHER PARKER,
PATROLMAN LOUIS PERFETTI, PATROLMAN JUSTIN ASHE,
PATROLMAN KYLE JONES, PATROLMAN "JOHN" MORRIS
(ID No. 7866), and SERGEANT "JOHN" BARKER (ID No. 7753)

Defendants.

Motion by: Defendants, City of Troy, Patrolman Christopher Parker, Patrolman Louis Perfetti, Patrolman Justin Ashe, Patrolman Kyle Jones, Patrolman "John Morris" (ID No. 7866), and Sergeant "John" Barker (ID No. 7753)

Date, Time and **November 27, 2020 at 10:00 a.m.** before the Honorable
David N. Hurd

Place of Hearing: Alexander Pirnie Federal Building
10 Broad Street
Utica, New York 13501

Supporting Papers:

- 1) Statement of Material Facts Pursuant to Rule 7.1(a)(3).
- 2) Affirmation of Rhiannon I. Spencer, Esq. sworn to on October 20, 2020 and Exhibits attached thereto.
- 3) Affidavit of Patrolman Justin Ashe sworn to on October 20, 2020 and Exhibits attached thereto.
- 4) Affidavit of Patrolman Louis Perfetti sworn to on October 19, 2020 and Exhibits attached thereto.
- 5) Affidavit of Sergeant Steven Barker sworn to on October 19, 2020.
- 6) Affidavit of Patrolman Kyle Jones sworn to on October 19, 2020 and the Exhibits attached thereto.
- 7) Affidavit of Patrolman Jeremy Morris sworn to on October 20, 2020.

- 8) Affidavit of Patrolman Christopher Parker sworn to on October 20, 2020 and the Exhibits attached thereto.
- 9) Affidavit of Sergeant Jamshid Holehan sworn to on October 20, 2020 and the Exhibits attached thereto.
- 9) Memorandum of Law.

Nature of Action: Action pursuant to 42 U.S.C. Section 1983 and pendant state claims

Relief Demanded: An Order granting summary judgment dismissing plaintiff's complaint pursuant to Rule 56(b) of the Federal Rules of Civil Procedure.

Dated: Troy, New York
October 20, 2020.

PATTISON, SAMPSON, GINSBERG & GRIFFIN, PLLC

By: Rhiannon I. Spencer
Rhiannon I. Spencer, Esq.
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